

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-13647-2020 (O&M)

Date of decision : 15.06.2020

Prabhjot Singh @ Khushi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Ms. Harpreet Kaur, Advocate for the petitioner.

Mr. Surinder Pal Singh Tinna, Additional A.G. Punjab.

ANIL KSHETARPAL, J. (ORAL)

The petitioner prays for bail pending trial in a criminal case arising from FIR No.212 dated 20.11.2019 registered under Sections 363, 366-A, 120-B of the Indian Penal Code, at Police Station Sadar Faridkot, District Faridkot.

In a nutshell, the case of the prosecution has been noticed by the learned Additional Sessions Judge, Faridkot in para 7 of the impugned order, which is extracted as under:-

“7. Perusal of record reveals that instant FIR was registered against accused-applicant and others, on the statement of complainant Nahar Singh son of Baghera Singh, to the effect that he has three daughters and one son and his eldest daughter/prosecutrix (name withheld) is

studying in+1 class in Government Senior Secondary School, Golewala and she is aged about 17 years. Prabhjot Singh alias Khushi son of Baldev Singh used to keep an evil eye on his daughter/prosecutrix and would roam around the house of the complainant. On the intervening night of 18/19.11.2019, Prabhjot Singh alias Khushi, his Maasi (mother's sister) Parkash Kaur wife of Veer Singh, cousin Manpreet Kaur alias Mani wife of Daljit Singh alias Jeeti and Akashdeep Singh son of Veer Singh, all residents of Baja Patti, Golewala, in connivance and conspiracy with each other, enticed away his daughter/prosecutrix with a view to marry her with Prabhjot Singh alias Khushi.”

Learned counsel for the petitioner contends that the girl “alleged prosecutrix” in her statement before the police has admitted that she is in a relationship with the petitioner for three years. She further contends that both of them eloped on 18.11.2019 and after visiting various religious places came back on 25.11.2019. She further submits that on conclusion of the investigation, the police has filed final report. The petitioner is in judicial custody for a period of 7 months approximately.

On the other hand, learned counsel for the State has opposed the prayer for grant of regular bail to the petitioner.

In the present case, learned counsel for the petitioner has read over the statement of the girl aged about 17 years. She admits that she is in a relationship with the petitioner for a period of three years. She further stated that she went alongwith the petitioner willingly and after visiting

various religious places for a period of 7 days came back to the village.

Without commenting on the merits of the case and keeping in view the fact that the petitioner is in judicial custody for a period of 7 months approximately and the trial of the case is likely to take a long time, the petitioner is directed to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

Accordingly, the present petition is allowed.

15.06.2020

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No